



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: Box ISSUE FEE  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

18M1/0625

KATHRYN M BROWN  
MORGAN AND FINNEGAN  
345 PARK AVENUE  
NEW YORK NY 10154

*Transfer - E. L. T. 10/1/95*

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/463,707	06/05/95	034	GAMBEL, F	1806 06/25/95
First Named Applicant	STEINBERG, JOHN R.			

TITLE OF INVENTION ANTIBODIES WITH SPECIFICITY FOR A COMMON EPITOPE ON E-SELECTIN AND L-SELECTIN

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1	0174-4002US2	424-144.100	065	UTILITY	YES \$645.00	09/25/95

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as yes, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.
- III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

08/463707

APPLICATION NUMBER	FLING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
--------------------	------------	-----------------------	---------------------

08/463,707 06/05/95 STEINBERG

J 0174-40021

EXAMINER

18M1/0625

KATHRYN M BROWN  
MORGAN AND FINNEGAN  
345 PARK AVENUE  
NEW YORK NY 10154

ART UNIT GAMER NUMBER

DATE MAILED 1806

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

**NOTICE OF ALLOWABILITY**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☒ This communication is responsive to PAPSU NOS. 17-18
- ☒ The allowed claim(s) is/are 40-73
- ☐ The drawings filed on \_\_\_\_\_ are acceptable.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ Applicant MUST submit NEW FORMAL DRAWINGS
- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☒ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 8
- ☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Interview Summary, PTO-413
- ☒ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☒ Examiner's Statement of Reasons for Allowance

### DETAILED ACTION

1. Applicant's amendment, filed 3/14/97 (Paper No. 17) is acknowledged.  
Claims 1-3, 5-8, 10-16 and 18-39 have been canceled.  
Claims 6, 9 and 17 have been canceled previously..  
Claims 40-73 have been added.

### EXAMINER'S AMENDMENT

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.
3. Authorization for this Examiner's Amendment was given in a telephone interview with Kathryn Brown on 6/17/97.
7. Amend the first sentence of the specification by adding:  
-- now abandoned, -- ~~after~~ "Serial No. 08/064,505 filed May 19, 1993," .
8. Amend the first sentence of the specification by adding:  
-- now abandoned, -- after "Serial No. 07/887,695 filed May 22, 1992," .
9. Amend claim 1, line 2, by replacing "specifically binds" with  
-- is capable of specifically binding -- .

### REASONS FOR ALLOWANCE

10. The following is an Examiner's Statement of Reasons for Allowance:

The claims are allowed for the reasons of record.

Upon reconsideration of applicant's amended claims and arguments, amendment, filed 3/14/97 (Paper No. 17) in conjunction with the Kishimoto and Jutila Declarations under 37 C.F.R. § 1.132, filed 9/11/96 (Paper No. 13); the previous rejection under 35 USC § 103 is withdrawn. As indicated in the previous Office Action (Paper No. 15); the instant selectin-specific antibodies exhibits specificity and functional properties that are distinguishable from the prior art. Accordingly the claims of this application are deemed allowable.

### OTHER ISSUES

11. Formal drawings and photographs have been submitted which fail to comply with 37 CFR 1.84. Please see the form PTO-948 previously sent in Paper No. 8.

Applicant is reminded to change the Brief Description of the Drawings in accordance with these changes (see 7. Views).

Photographs are not acceptable until petition is granted as set forth in 37 CFR 1.84(b). Under 37 CFR 1.84(b), the applicant must file a petition with fee requesting acceptance of the color and black and white photographs. The petition is decided in the Office of the Group Director.

12. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

13. Papers related to this application may be submitted to Group 1800 by facsimile transmission. Papers should be faxed to Group 1800 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center telephone number is (703) 308-4242 or (703) 305-7939.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel whose telephone number is (703) 308-3997. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lila Feisee can be reached on (703) 308-2731. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1800 receptionist whose telephone number is (703) 308-0196.

Phillip Gambel, Ph.D.  
Patent Examiner  
Group 1800  
June 17, 1997



LILA FEISEE  
SUPERVISORY PATENT EXAMINER  
GROUP 1800

